

RESPONSE AND REMARKS

SPECIFICATION

In the Final Office Action, the Examiner objected to use of various trademarks as used in the specification and indicated that the trademarks should be capitalized wherever they appear. Responsive to the Examiner's objections to the use of trademarks, further amendments to the specification are submitted herewith. The further amendments to the specification identify trademarks used in the specification, reference the proprietary nature of those trademarks through the use of the "TM" symbol, and equate the TM-designated trademark with both an all-capitalized version of the trademark and with alternative ways in which the trademarks appear in the specification.

SECTION 102

In the Final Office Action, the Examiner renewed the previous rejection of Claims 1-21 under section 102(b) as being anticipated by Nicholls et al. (U.S. Patent No. 5,485,369; "Nicholls").

In the Final Office Action, the Examiner interpreted the previous response as arguing that Nicholls is not directed to multiple users and a plurality of carriers.

It is respectfully submitted, however, that there is an important and patentable distinction between the Examiner's reading of the previous response and the claims of the present application as previously presented.

In the Final Office Action, the Examiner states that "Nicholls does not disclose that this can be used for only one user, Nicholls discloses the use of multiple users and multiple shippers/carriers." Final Office Action, pp. 3-4, Numbered Topic 8 (citing Figures 2 and 3A of Nicholls).

There is no dispute that a Nicholls system supports rating for multiple carriers. Indeed, the Examiner's citation to Figure 2 of Nicholls supports, in part, rating in a Nicholls system for multiple carriers.

Further, there is no dispute that distinct versions of a Nicholls system could be installed for each distinct user. However, there lies the important and

patentable difference between the previously presented claims of the present application and the Examiner's interpretation of Nicholls.

As compared to installing a distinct version of a Nicholls system for each distinct user, the previously presented claims of the present application are directed to a single system ("A . . . system") that is programmed to receive input from a plurality of users and respond to each user. For example, independent Claim 1, as previously presented, is directed to "[a] shipping management computer system, . . . [that is] programmed to: "receive from each respective user of a plurality of users, a respective input of a set of parcel specifications for shipping a respective particular parcel . . .". Similarly, independent Claim 8 is directed to "[a] method using a *computer system* . . .", and independent Claim 15 is directed to "[a] computer program product embodying computer program instructions for execution by a *computer system* . . .", for "receiving from each respective user of a plurality of users, a respective input of a set of parcel specifications for shipping a respective particular parcel . . .".

Further, independent Claim 2 is directed to a single system ("A . . . system") that is programmed to: "in response to a request by any particular respective user of a plurality of users to ship a particular respective parcel, identify each carrier of a plurality of carriers that would support shipping the particular respective parcel from a respective user-specific default shipping location that is associated with the particular respective user . . .". Similarly, independent Claim 9 is directed to "[a] method using a *computer system* . . .", and independent Claim 16 is directed to "[a] computer program product embodying computer program instructions for execution by a *computer system* . . .", for identifying "in response to a request by any particular respective user of a plurality of users to ship a particular respective parcel, each carrier of a plurality of carriers that would support shipping the particular respective parcel from a respective user-specific default shipping location that is associated with the particular respective user . . .".

Yet further, independent Claim 3 is directed to a single system ("A . . . system") that is programmed to: "collect as a respective default shipping location for a respective particular user of a plurality of users, a user input from the respective particular user of a respective identification of a default shipping location for respective parcels to be shipped by the respective particular user . . .". Similarly, independent Claim 10 is directed to "[a] method using a *computer system* . . .", and independent Claim 17 is directed to "[a] computer program product embodying computer program instructions for execution by a *computer system* . . .", for "collecting as a respective default shipping location for a respective particular user of a plurality of users, a user input from the respective particular user of a respective identification of a default shipping location for respective parcels to be shipped by the respective particular user . . .".

Still further, independent Claims 11 and 18 are directed respectively to a method using a *computer system* and a computer program product embodying computer program instructions for execution by a *computer system* for "collecting as parcel specifications for a particular parcel, user input from the respective particular user, wherein the parcel specifications comprise at least one of: a package type, a set of package dimensions, or a package weight of the particular parcel."

It is respectfully submitted that Nicholls, whether considered alone or in combination with any other reference of record does not disclose, anticipate, or suggest a single system that is programmed to provide the features of the claimed subject matter of the present application. Namely, it is respectfully submitted that Nicholls does not disclose that a single Nicholls system could be directed to multiple users with distinct shipping locations. Rather, as disclosed in Nicholls, each Nicholls system must be "preprogrammed [with a] set of rules which are reflective of a *given shipper's predefined set of shipping requirements*." Nicholls, Col. 2, lines 31-34 (emphasis added). See also, Nicholls, Col. 1, lines 59-61 (" . . . facilitates the process of shipping goods by a shipper having a predefined set of shipping requirements via a carrier having a predefined rate structure." (Emphasis added)); Nicholls at Col. 4, lines 55-60 ("The presently

preferred embodiment facilitates the particular Shipper's requirements . . . in one or more client applications. *These client applications may be customized to conform quite closely to a given shipper's operation.*" (Emphasis added)).

As compared to being pre-programmed to reflect a *given* shipper's pre-defined set of shipping requirements as with Nicholls, the claims of the present application are directed to a single system, or to a method using a *computer system*, or to a computer program product for execution by a *computer system*, as the case may be, that is responsive to *respective* users of a *plurality* of users wherein each respective user has a respective shipping location.

It is respectfully submitted that this distinction between Nicholls and the claims of the present application is a patentable one. The distinction is patentable because, in order to communicate with each respective user of a plurality of users, the claimed system must be able to: keep track of each respective user's input; and perform the claimed action, which in the case of Claim 1, is to "apply a set of carrier-specific shipping location rules for each carrier of a plurality of carriers . . .", with respect to each respective user's input and, in the case of Claim 1, with respect to a respective default shipping location associated with the respective user.

Nicholls simply does not disclose that a single Nicholls system is capable of processing more than one shipping location or more than one user. To the contrary, as previously noted above, each Nicholls system is "preprogrammed [with a] set of rules which are reflective of a *given shipper's predefined set of shipping requirements.*" Nicholls, Col. 2, lines 31-34 (emphasis added).

Accordingly, it is respectfully submitted that Nicholls, alone or in combination with any other reference of record, does not disclose, anticipate, or suggest, the subject matter of the previously amended claims of the present application.

For the foregoing reasons and for the reasons previously given, because independent Claims 1, 2, 3, 8, 9, 10, 11, 15, 16, 17 and 18 (as previously presented), are patentable over the cited reference, Applicant respectfully

Application Serial No.:09/684,871
Final Office Action Dated 12/07/2004

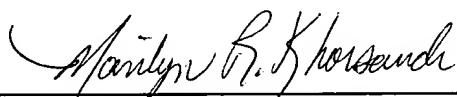
submits that dependent Claims 4 through 7, 12 through 14, and 19 through 21, are therefore also patentable over the cited reference.

In view of the foregoing reasons and for the reasons previously given, it is respectfully submitted that the invention disclosed and claimed in the present amended application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, it is respectfully requested that the present application be reconsidered and allowed.

Respectfully submitted,

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626/796-2856